

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOHN JOHNSTON,
DAWN JOHNSTON,

Plaintiffs,

v.

CASE NO. 06-11617
HON. LAWRENCE P. ZATKOFF
MAG. R. STEVEN WHALEN

S.D. WARREN CO. d/b/a
SAPPI FINE PAPER NORTH AMERICA,

Defendant.

ORDER

This matter comes before the Court on Plaintiff's Motion for Rehearing of Order Granting Defendant's Motion to Exclude Reference to Federal and State Load Securement Regulations and Laws [dkt 36]. On October 16, 2007, this Court granted Defendant's Motion to Exclude Federal and State Load Securement Rules and Regulations because Plaintiffs never responded to Defendant's motion. Plaintiffs have since filed their Motion for Rehearing and a response brief to Defendant's original motion. Plaintiffs allege a misunderstanding regarding the briefing schedule as grounds for reconsideration.

After reviewing Plaintiffs' motion and Defendant's response, IT IS ORDERED that Defendant's Motion for Leave to File Response to Plaintiffs' Motion for Rehearing of Order Granting Defendant's Motion to Exclude Reference to Federal and State Load Securement Regulations and Laws [dkt 38] is GRANTED.

IT IS FURTHER ORDERED that Plaintiffs' Motion for Rehearing of Order Granting Defendant's Motion to Exclude Reference to Federal and State Load Securement Regulations and Laws is GRANTED.

IT IS FURTHER ORDERED that Defendant shall have until January 7, 2008, to file its reply brief to its original Motion to Exclude Reference to Federal and State Load Securement Regulations and Laws.

IT IS SO ORDERED.

Date: December 28, 2007

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

ENTRY OF THIS ORDER SHALL
NOT DELAY THE PROCEEDINGS
IN THE ABOVE MATTER IN
ANY MATTER WHATSOEVER.